Smith and Tozian, P.S.

DONALD A. SMITH, JR. SCOTT K. TOZIAN GWENDOLYN H. HINKLE ANNE CAVANAUGH JONES

May 4, 2005

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CLEIM. SUPREME COURT

SUIT 200, 10911 BUUSH SIIB I I IAMPA, I FORDA 33602 4163 PHORE (413) 273 0063 TAS (419) 224 80 62 cm d985mbbbzian com

. VIA FACSIMILLETRANSNISSION.

Michael K. Green, Esquire Special Counsel Trenam, Kemker, Scharf, Barkin Frye, O'Neill & Mullis, P.A. P. O. Box 1102 Tampa, Florida 33601-1102

RE: Inquiry concerning Judge John K. Renke, III

Case No. 02-466; SC03-1846

Your File No. 03-3273

Dear Mr. Green:

I thought our conversation concerning the documents of John K. Renke, II, Esquire, resolved your concerns. At Mr. Mansfield's deposition, I was not "passing the buck," but simply advising you to contact Mr. Renke for the production of the documents. Mr. Renke advises that you have never contacted him since the first document review to request the balance of the documents. I do recall your discussion with Mr. Renke at Tom Gurran's deposition and I thought you could work through the issue. I was not present when you reviewed the documents and therefore I am not privy to the precise nature of the objection Mr. Renke raised. Nor do I know if he still objects to the production of the documents you seek. The line of communication needs to be between you and John K. Renke, II, whom I do not represent.

Thave advised Mr. Renke that you were seeking the documents and he has asked that you call his office to arrange the production of such documents. I think it is unreasonable that you expect me to coordinate your schedule with Mr. Renke's schedule for such purpose. Hopefully, this issue is simply a misunderstanding and a blip on the screen. I feel certain we can continue to work in harmony together towards preparing for the final hearing.

John K. Renke, II, Esquire, does not represent Judge John K. Renke, III, in this proceeding. After the investigative hearing, I was hired to represent Judge Renke and his father has filed no notice of appearance in the formal hearing. I am sorry if anything I have said or done has confused you as to his status.

Mr. Renke is expecting your call concerning the coordination of the review of the remaining documents. If this proposed procedure is a problem, please advise immediately.



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Thank you for your ongoing cooperation in this cause.

Sincerely,

Scott R. Tozian, Esquire

SKT/nlg

ce: Judge John K. Renke, III

John K. Renke, H